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Dkt. 37690-II-1-PCT-US/JPW/MAF/DJK

\$ 1646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gary A. Beaudry and Paul J. Maddon

Serial No.: 08/485,163

Group Art Unit: 1646

Filed : June 7, 1995

Examiner: E. Lazar-Wesley

For : CD4-GAMMA2 AND CD4-IgG2 CHIMERAS

1185 Avenue of the Americas
New York, New York 10036
September 16, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the PTO-1449 form attached hereto as **Exhibit A**. Copies of these references are attached hereto as **Exhibits 1-2**.

1. Capon, et al., (1989) "Designing CD4 Immuno adhesins For AIDS Therapy", Nature, Vol. 337, pages 525-531 (**Exhibit 1**);
2. Capon, et al., (1996) U.S. Patent No. 5,565,335, issued October 15, 1996, filed May 2, 1994 (**Exhibit 2**).

Item 1 listed in this disclosure statement has been cited in a European Search Report (**Exhibit B**) issued on July 22, 2003 in connection with a related European application having Application No. 03 01 2917. Applicants determined that the other four references cited in the Search Report had previously been made of record by the applicants in this application due to their inclusion in an Information Disclosure Statement submitted May

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29, 1997.

Further with regard to Item 1, however, applicants noted in reviewing the file of the present application that the Subject reference had previously been relied on by the Examiner to reject applicant's claims in an Office Action dated March 21, 2001, but was never made of record by the Examiner by inclusion on a PTO Form 892.

Moreover, applicants additionally noted in their review of this file that the Examiner had also relied on Capon, et al., U.S. Patent No. 5,565,335 (Item 2 in this Disclosure Statement) in an August 7, 1997 Office Action, but that this reference also had not been made of record in the application by inclusion on a PTO Form 892.

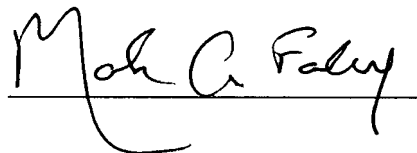
The Examiner is therefore respectfully requested to make both of these references of record in the present application by initialing and dating a copy of the PTO Form 1449 submitted as Exhibit A and returning the same to applicants' representative with his next Communication concerning this application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

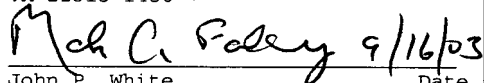
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A fee of \$180.00 is believed to be necessary under 37 C.F.R. §1.97(c)(2) in connection with the filing of this Supplemental Information Disclosure Statement and a check in that amount is enclosed. If any additional fee is required, moreover, authorization is hereby give to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted, .



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

 9/16/93
John P. White Date
Reg. No. 28,678
Mark A. Farley
Reg. No. 33,170

John P. White
Registration No. 28,678
Mark A. Farley
Registration No. 33,170
Attorneys for Applicant(s)
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



Form PTO-1449

U.S. Department of Commerce
Patent and Trademark OfficeAtty. Docket No.
2048/37690-II-1-PCT-US
/JPW/MAF/DJKSerial No.
08/485,163**INFORMATION DISCLOSURE CITATION**
(Use several sheets if necessary)Applicant(s)
Gary A. Beaudry, et al.Filing Date
June 7, 1995Art Unit
1646**U.S. PATENT DOCUMENTS**

| Examiner Initials | Item | Document Number | | | | | | | Date | Name | Class | Subclass | Filing Date If Appropriate |
|----------------------|------|-----------------|---|---|---|---|---|---|----------|---------------|-------|----------|-------------------------------|
| | 1 | 5 | 5 | 6 | 5 | 3 | 3 | 5 | 10/15/96 | Capon, et al. | | | |
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FOREIGN PATENT DOCUMENTS

| | | Document Number | | | | | | | Date | Country | Class | Subclass | Translation | |
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| | | | | | | | | | | | | | Yes | No |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | 2 | Capon, et al., (1989) "Designing CD4 Immuno adhesins For AIDS Therapy", Nature, Vol. 337, pages 525-531 |
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EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.